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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS MILLER,
REGINALD JONES,
FELICIA SHAW,
JIMMY VAN II, and
JAZZMINE CAMPBELL,

Defendants.

CASE NO. 2:23-CR-00150 DJC

AMENDED STIPULATION REGARDING
EXCLUDABLE TIME PERIODS UNDER SPEEDY
TRIAL ACT; FINDINGS AND ORDER

DATE: May 30, 2024
TIME: 9:00 a.m.
COURT: Hon. Daniel J. Calabretta

AMENDED STIPULATION

1. This matter was set for status conference before the Honorable Daniel Calabretta on May 30, 2024. ECF No. 51. Time has been excluded through and including May 30, 2024, as to all of the above-captioned defendants. *Id.*

2. By this stipulation, the government and the defendants (“the parties”) request to set a status conference on August 8, 2024, and to exclude time between May 30 and August 8, 2024, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) Discovery associated with this case and produced to date includes reports, photographs, and other digital evidence which has been either produced directly to counsel

and/or made available for inspection and copying.

b) The government has additional discovery to produce and/or make available additional discovery that is voluminous and includes reports, subpoena returns, social media evidence, and other digital evidence.

c) Counsel for the defendants desire additional time to consult with their respective clients, review the current charges, conduct investigation and research related to the charges, to review and copy discovery for this matter, and to otherwise prepare for trial. Counsel for the defendants believe that the failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. In addition, since the last continuance, defendant Marcus Miller was appointed a new attorney, Michael Long, who will need to review the discovery in this case.

d) The government joins the request to continue.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of May 30, 2024, to August 8, 2024, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendants' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

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1 Dated: May 28, 2024

PHILLIP A. TALBERT
United States Attorney

2
3 /s/ ROSS PEARSON
ALEXIS KLEIN
ROSS PEARSON
Assistant United States Attorneys

5 Dated: May 28, 2024

6 /s/ MIKE LONG
MIKE LONG
Counsel for Defendant
MARCUS MILLER
(Authorized by email on May 28, 2024)

9 Dated: May 28, 2024

10 By: /s/ DAVID FISCHER
DAVID FISCHER
Counsel for Defendant
REGINALD JONES
(Authorized by email on May 28,
2024)

13 Dated: May 28, 2024

14 By: /s/ TASHA CHALFANT
TASHA CHALFANT
Counsel for Defendant
JIMMY VAN II
(Authorized by email on May 28,
2024)

17 Dated: May 28, 2024

18 By: /s/ KYLE KNAPP
KYLE KNAPP
Counsel for Defendant
JAZZMINE CAMPBELL
(Authorized by phone on May 28,
2024)

21 Dated: May 28, 2024

22 /s/ PHILLIP COZENS
PHILLIP COZENS
Counsel for Defendant
FELICIA SHAW
(Authorized by phone on May 28, 2024)

ORDER

The Court, having received, read, and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order. The Court vacates the May 30, 2024, status conference and resets the matter for a status conference on August 8, 2024, at 9:00 a.m. The Court also finds that based on the facts set forth in the parties' stipulation, the failure to exclude time between May 30 and August 8, 2024, would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court further finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. Time from May 30 to August 8, 2024, is excluded from the computation of time within which the trial of this case must commence under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local Code T-4.

Dated: May 28, 2024

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE